

\*\*\*\*\* UNITED STATES DISTRICT COURT \*\*\*\*\*

NORTHERN

DISTRICT OF

NEW YORK

JUDGMENT IN A CIVIL CASE

DOCKET NO. 5:08-cv-1102 (GLS/DEP)

CATHRINE BARTELS

v.

MICHAEL J. ASTRUE, Commissioner  
of Social Security Administration

\_\_\_\_\_ JURY VERDICT. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

  X  

DECISION BY COURT. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED, that the Report-Recommendation of Magistrate Judge David E. Peebles filed November 2, 2010 (Dkt. No. 13) is ACCEPTED in its entirety. That plaintiff's motion for judgment on the pleadings is GRANTED. That the Commissioner's determination of no disability is VACATED. That the matter is REMANDED to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the report-recommendation, in accordance with the Order issued by U.S. District Judge Gary L. Sharpe on November 17, 2010.

\_\_\_\_\_  
November 17, 2010

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LAWRENCE K. BAERMAN  
CLERK OF THE COURT

BY: S/\_\_\_\_\_

DEPUTY CLERK  
John Law